

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LODEGARIA GIUTIERREZ MONTES,

Petitioner,

No. C 07-3659 PJH (PR)

vs.

ORDER OF DISMISSAL

SCHELIA A. CLARK,

Respondent.

This pro se habeas action was filed on July 17, 2007. On that same day the court notified petitioner that she had neither paid the five dollar filing fee nor submitted an application for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if she did not either pay the fee or file the application within thirty days the case would be dismissed. No response has been received.

This case is therefore **DISMISSED** without prejudice. No fee is due. The clerk shall close this file.

IT IS SO ORDERED.

Dated: August 28, 2007.



PHYLLIS J. HAMILTON
United States District Judge